

Under the Films, Videos, and Publications Classification Regulations 1994**Type of Publication:** **Video Slick****TITLE:** Joey Silvera's Butt Row She-Male Adventure**OFLC No.:** **9801288****HEADNOTE****Decision:**

Approved.

Display Conditions:

In accordance with Regulation 29(5) of the Films, Videos, and Publications Classification Regulations 1994, the Classification Office is satisfied that compliance with the conditions imposed pursuant to s27(5) of the Films, Videos, and Publications Classification Act 1993 will be sufficient to avoid the causing of offence to reasonable members of the public.

Either

Any film poster relating to the film (whether or not the poster is attached to the cassette, case, or other container in which the film is kept), must be publicly displayed only in premises, or a part of premises, set aside for the public display of restricted publications (whether or not articles other than restricted publications are also displayed in those premises or that part of those premises).

Or

Any film poster relating to the film (whether or not the poster is attached to the cassette, case, or other container in which the film is kept), must not be publicly displayed in any place in which the film is available for supply, and must be shown in that place only to persons who make a direct request for the poster.

Submission Procedure:

Video Wholesalers Ltd submitted this video slick to the Office of Film and Literature Classification (the Classification Office) for approval under Regulation 27(4) of the Films, Videos, and Publications Classification Regulations 1994. This video slick advertises the associated video recording entitled *The Big-Ass She-Male Adventure*

(OFLC Ref No 9801029), which was classified as objectionable except if its availability is restricted to persons who have attained the age of 18 years (subject to certain excisions being made), with display conditions imposed under s27(5) of the Films, Videos, and Publications Classification Act 1993 (the FVPC Act) on 9 November 1998. A video slick entitled *The Big-Ass She-Male Adventure* (OFLC Ref No 9801030), which also advertised that video recording, was refused approval on 9 November 1998.

Description of the Video Slick:

The video slick entitled *Joey Silvera's Butt Row She-Male Adventure* contains colour photographs, text (including the title, captions, a copyright notice and various website addresses), and logos. There are 8 photographs of various sizes showing what appear to be semi-naked transgendered people or women, posing for the camera; most of the photographs focus on the people's whole bodies, with two focusing on their heads. A large photograph on the back cover shows a man and two transgendered people (with breasts and penises) posing naked for the camera, with the man and one of the transgendered people clasping their own penises. Three smaller photographs below this each show what appears to be a male and a transgendered person engaging in anal intercourse, with anal penetration visible. A second transgendered person appears in each of these photographs, also participating in the sexual activity. Genitals and breasts are visible. Limited text includes the statement "Rogue ... A hard dick with a mind of its own", and a caption reading "Fabiola 92% Female, 8" Male".

Examination of film posters by the Classification Office:

Under Regulation 28(3)(b), if the Classification Office considers that, if the film poster were submitted under s13(1) of the FVPC Act, the film poster would be likely to be classified under s23 of the Act as a restricted publication, the Classification Office shall deal with the film poster in accordance with Regulation 29 of these regulations.

Under Regulation 29(2) the Classification Office shall consider whether or not the public display of the film poster, if not subject to conditions under Regulation 30 of these regulations, would be likely to cause offence to reasonable members of the public.

Under Regulation 29(5) where, pursuant to section 27 of the FVPC Act, the Classification Office has imposed any condition on the public display of the film poster relating to the film to which the film poster relates, the Classification Office may approve the film poster without imposing conditions under Regulation 30 of these regulations if the Classification Office is satisfied that compliance with the condition imposed pursuant to that section will be sufficient to avoid the causing of such offence.

Conclusion:

The video slick entitled *Joey Silvera's Butt Row She-Male Adventure* is approved subject to the display conditions already imposed on the associated video recording and any advertising material related to it.

The video slick is dominated by photographs of transgendered people posing for the camera, men and transgendered people posing, and men and transgendered people engaging in sexual activity. Limited text, including the title, reinforces the notion that the associated video recording contains transgendered people. Neither the text nor the photographs present these people in a degrading light. The photographs explicitly show nudity and sexual activity. Because of this, the video slick would be likely to be classified as restricted if it were submitted under s13(1). The same factors mean that it would be likely to cause offence to reasonable members of the public if displayed without conditions. Display conditions already apply to the associated video recording and any advertising material associated with it. Compliance with these conditions will be sufficient to avoid the causing of such offence. Therefore the video slick is approved subject to the following:

In accordance with Regulation 29(5) of the Films, Videos, and Publications Classification Regulations 1994, the Classification Office is satisfied that compliance with the conditions imposed pursuant to s27(5) of the Films, Videos, and Publications Classification Act 1993 will be sufficient to avoid the causing of offence to reasonable members of the public.

Either

Any film poster relating to the film (whether or not the poster is attached to the cassette, case, or other container in which the film is kept), must be publicly displayed only in premises, or a part of premises, set aside for the public display of restricted publications (whether or not articles other than restricted publications are also displayed in those premises or that part of those premises).

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